

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

SEVENTEENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 28, 2015

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Nye. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Emily Luker, Page.

### 3RD ORDER

#### Approval of Journal

January 28, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 28, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 41](#), [H 42](#), [H 43](#), [H 44](#), [H 45](#), and [H 46](#).

WILLS, Chairman

[H 41](#) was filed for second reading.

[H 42](#), [H 43](#), and [H 44](#) were referred to the Transportation and Defense Committee.

[H 45](#) was referred to the Revenue and Taxation Committee.

[H 46](#) was referred to the Health and Welfare Committee.

January 28, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 36](#) and [H 37](#) and recommend that they do pass.

COLLINS, Chairman

[H 36](#) and [H 37](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 47

##### BY RESOURCES AND CONSERVATION COMMITTEE

##### AN ACT

RELATING TO THE STATE LAND BOARD; AMENDING SECTION 58-104, IDAHO CODE, TO PROVIDE THAT CERTAIN REVENUE FROM NAVIGABLE WATERWAYS SHALL BE DEPOSITED IN THE NAVIGABLE WATERWAYS FUND, TO PROVIDE FOR THE CREATION OF THE FUND, TO PROVIDE FOR THE USE OF THE FUND, TO REQUIRE APPROPRIATION, TO PROVIDE THAT CERTAIN MONEYS SHALL BE DEPOSITED IN THE WATERWAYS IMPROVEMENT FUND AT THE BEGINNING OF EACH FISCAL YEAR, TO PROVIDE THAT ROYALTIES FROM EXTRACTION OF MINERALS FROM NAVIGABLE WATERWAYS SHALL BE DEPOSITED IN THE PUBLIC SCHOOL PERMANENT ENDOWMENT FUND AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 48

##### BY RESOURCES AND CONSERVATION COMMITTEE

##### AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-319, IDAHO CODE, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN RECORDS FOR A DESIGNATED PERIOD OF TIME.

#### HOUSE BILL NO. 49

##### BY RESOURCES AND CONSERVATION COMMITTEE

##### AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-320, IDAHO CODE, TO PROVIDE FOR FEES, TO REVISE FEE PROVISIONS, TO PROVIDE FOR THE DEPOSIT OF FEES IN THE OIL AND GAS CONSERVATION FUND AND TO PROVIDE FOR THE USE OF FEES.

#### HOUSE BILL NO. 50

##### BY RESOURCES AND CONSERVATION COMMITTEE

##### AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-323, IDAHO CODE, TO PROVIDE FOR UNIT OPERATIONS, TO PROVIDE FOR HEARINGS, TO PROVIDE FOR ORDERS, TO PROVIDE FOR FINDINGS, TO PROVIDE FOR THE CONTENT OF APPLICATIONS, TO PROVIDE FOR SPECIFIED CERTIFICATION BY APPLICANTS, TO PROVIDE FOR MEANS OF SERVICE, TO PROVIDE FOR RESPONSES TO APPLICATIONS, TO PROVIDE FOR THE SCHEDULING OF HEARINGS AND NOTICE OF HEARINGS, TO PROVIDE THAT ORDERS FOR UNIT OPERATIONS MUST BE ON JUST AND REASONABLE TERMS AND CONDITIONS, TO PROVIDE THAT ORDERS SHALL INCLUDE PLANS FOR UNIT OPERATIONS, TO PROVIDE FOR CONTENTS OF PLANS, TO PROVIDE THAT ORDERS FOR UNIT OPERATIONS MAY PROVIDE FOR UNIT OPERATIONS OF LESS THAN THE WHOLE OF POOLS UNDER CERTAIN CONDITIONS, TO PROVIDE FOR TERMINATION AND DISSOLUTION OF UNIT OPERATIONS, TO PROVIDE CONDITIONS UNDER WHICH ORDERS FOR UNIT OPERATIONS SHALL

BECOME EFFECTIVE, TO PROVIDE FOR AMENDMENT OF ORDERS, TO PROVIDE FOR ORDERS FOR UNIT OPERATIONS OF A POOL OR POOLS OR PARTS THEREOF THAT INCLUDE UNITS CREATED BY PRIOR ORDERS, TO PROVIDE A PROCEDURE RELATING TO ALLOCATION IN SUBSEQUENT ORDERS, TO PROVIDE FOR THE APPROVAL OF ADDITIONS OR EXCLUSIONS IN UNIT AREAS UNDER CERTAIN CONDITIONS, TO PROVIDE CONDITIONS UNDER WHICH ORDERS FOR ADDITIONS OR EXCLUSIONS TO UNIT AREAS SHALL BECOME EFFECTIVE, TO PROVIDE THAT OPERATIONS ARE DEEMED CONDUCTED ON CERTAIN TRACTS BY OWNERS, TO PROVIDE THAT PORTIONS OF UNIT PRODUCTION ALLOCATED TO A SEPARATELY OWNED TRACT WHEN PRODUCED IS DEEMED PRODUCED FROM A WELL DRILLED ON THAT TRACT, TO PROVIDE THAT CERTAIN OPERATIONS SHALL CONSTITUTE FULFILLMENT OF CERTAIN EXPRESSED OR IMPLIED OBLIGATIONS TO A SPECIFIED EXTENT, TO PROVIDE THAT CERTAIN PRODUCTION AND PROCEEDS OF SALE ARE DEEMED THE PROPERTY AND INCOME OF SPECIFIED PERSONS, TO PROVIDE FOR THE DURATION OF FORCE OF DIVISION ORDERS OR OTHER CONTRACTS RELATING TO A SALE OR PURCHASE OF PRODUCTION AND THE APPLICATION THEREOF, TO PROVIDE THAT CERTAIN ORDERS DO NOT RESULT IN TRANSFER OF TITLE, TO PROVIDE THAT CERTAIN PROPERTY IS DEEMED THE PROPERTY OF SPECIFIED PERSONS AND TO PROVIDE THAT THE FORMATION AND OPERATION OF A UNIT UNDER ORDER OF THE OIL AND GAS COMMISSION SHALL NOT BE IN VIOLATION OF CERTAIN LAW.

#### HOUSE BILL NO. 51

##### BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO SMALL-SCALE DREDGE MINING; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 13, TITLE 47, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 47-1317A, IDAHO CODE, TO PROVIDE FOR ADOPTION OF RULES FOR SMALL-SCALE DREDGE MINING, TO PROVIDE CONTENTS OF THE RULES, TO PROVIDE WHERE SUCTION DREDGING MAY OCCUR AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY.

[H 47](#), [H 48](#), [H 49](#), [H 50](#), and [H 51](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 14](#) and [H 15](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[H 10](#), [H 11](#), [H 12](#), [H 13](#), and [H 34](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

##### [H 40](#) - APPROPRIATIONS - OFFICE OF ENERGY RESOURCES

[H 40](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

The question being, "Shall [H 40](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 65.

NAYS – Dixon, Nate, Scott, Sims. Total – 4.

Absent – Nye. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 40](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

##### [H 27](#) - RECREATION DISTRICTS

[H 27](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nate to open debate.

The question being, "Shall [H 27](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Nye. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 27](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 29, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:49 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk